

Please amend Claim 16 to read as follows:

16. (Amended) A system for measuring the optical power and optical signal to noise ratio of optical signals in a data network, comprising:
B'
 a photodetector;
 a trans-impedance amplifier;
 an analog to digital converter; and
 a microprocessor;
 where the photodetector is the device of any of claims 1-12.

Please add new Claim 29 as follows:

B2
29. (New) The device of any of Claims 5-12, further comprising:
 a metallic diffusion region in a portion of said upper region;
 and
 a tuning contact in electric communication with said metallic diffusion .

REMARKS

In the Office Action the examiner rejected claims 1 – 13 and 16 – 19. Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Matsui (JP Patent 363111679A). Claims 5 and 9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mizutani, et. al. (U.S. Patent No. 5,946,336). Additionally, claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as unpatentable over Matsui in view of Aoki, et. al. (U.S. Patent No. 5,737,474), and claims 5 – 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chandrasekhar (U.S. Patent No. 5, 689,122). Finally